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3M INNOVATIVE PROPERTIES COMPANY			PRIETO, BEATRIZ	
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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/821,202	<b>Applicant(s)</b> KENNER ET AL.	
	<b>Examiner</b> Prieto B.	<b>Art Unit</b> 2142	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11/16/2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 and 28-77 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 and 28-77 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/2005</u> . | 6) <input type="checkbox"/> Other: _____  |



### ***DETAILED ACTION***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/04/2005 has been entered. Pending claims 1-26, 28-71 and added 72-77 have been examined.

2. Quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action may be found in previous rejection.

3. Claims 1-19, 22-26, 28-50, and 53-75 are rejected under 35 U.S.C. 103(a) as being obvious over Pike (US 4,555,775) in view of Stephens, Jr. (US 6,557,026) (Stephens hereafter).

Regarding claim 1, Pike teaches substantial features of the invention, including, a method/system of Figs. 1-3 performed at a content recipient (25) comprising:

executing a program code (13) at the content recipient (25) for receiving data "content" from a data content provider (24) (col 2/lines 53-col 3/line 3), said content displayable at said content recipient in layers each corresponding executing respective program code (10) (col 1/lines 55-68); and

executing respective program code (10) at the content recipient for displaying the received content (col 3/lines 15-25, 40-47 and col 5/lines 50-55);

displaying the received content at the content recipient behind a displayed layer(s) representing a session (Figs. 2-3) when said session is currently being the focus of recipient's attention (i.e. "active") (col 3/lines 35-47, and col 2/lines 3-11); executing a program code (10) at the content recipient so as to display a content "notifier" over the session even if the session is active, (Figs. 2-3, col 3/lines 35-39, and col 2/lines 3-11); however Pike does not explicitly teach wherein the notifier indicates that the content is available for display.

Stephens discloses a notice system (200), including an executing first program code (114) at a content recipient (112) for receiving content from a content provider (118) over the network (116) (Fig. 1, col 4/lines 33-col 5/line 7), including

displaying a notice “notifier” indicating that content is available for display, automatically without user intervention (Stephen: col 7/lines 5-60) further including, executing a program code at the content recipient for displaying content behind a session (Stephen: col 6/lines 17-35).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Pike for displaying content partially obscured, i.e. behind a session, when the user is interacting with a window displayed totally unobscured, overlapped or overlaid over other windows, i.e. active or currently operating sessions, between interacting computer programs exchanging data over a communication data link. Including windows or bitmaps displays, that may include icons, wherein the windows are stackable (changeable in layering front-to-back positions), scalable (changeable in size) and translation modifiable (change in position), the teachings of Pike for displaying content including windows the may be minimized to an icon, overlaid in front of other windows or under-layed behind other windows currently displayed, would be readily apparent. One would be motivated to present a user with customized delivery of information as it becomes available from multiple sources in audible, HTML format, text, graphics, or links, without requiring user to take any action, not limited to use preferences noteworthiness, specified importance, expiration date, and/or urgency.

Regarding claim 2, executing third program code (10) at the content recipient for displaying unobscure content while displaying partially obscure content so as to expose below the partially obscure content, i.e. “burn the content through” the session in order to visibly display the content to a user (Figs. 2-3, col 2/lines 3-11).

Regarding claim 3, Pike teaches an executing third program code (10) at the content recipient so as to display a content “notifier” over the session even if the session is active, (Figs. 2-3, col 3/lines 35-39, and col 2/lines 3-11); however Pike does not explicitly teach wherein the notifier indicates that the content is available for display.

Stephens discloses a notice system (200), including an executing first program code (114) at a content recipient (112) for receiving content from a content provider (118) over the network (116) (Fig. 1, col 4/lines 33-col 5/line 7), including

displaying a notice “notifier” indicating that content is available for display, automatically without user intervention (Stephen: col 7/lines 5-60) further including, executing a program code at the content recipient for displaying content behind a session (Stephen: col 6/lines 17-35).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestions of Pike for displaying content partially obscured, i.e. behind a session, when the

user is interacting with a window displayed totally unobscured, overlapped or overlaid over other windows, i.e. active or currently operating sessions, between interacting computer programs exchanging data over a communication data link. Including windows or bitmaps displays, that may include icons, wherein the windows are stackable (changeable in layering front-to-back positions), scalable (changeable in size) and translation modifiable (change in position), the teachings of Pike for displaying content including windows the may be minimized to an icon, overlaid in front of other windows or under-layered behind other windows currently displayed, would be readily apparent. One would be motivated to present a user with customized delivery of information as it becomes available from multiple sources in audible, HTML format, text, graphics, or links, without requiring user to take any action, not limited to use preferences noteworthiness, specified importance, expiration date, and/or urgency.

Regarding claim 4, executing fourth program code (Pike: 10 of Fig. 1) at the content recipient so as to burn the content through the session in response to selection of the notifier in order to visibly display the content to a user. (Pike: Figs. 2-3, col 3/lines 35-47, col 2/lines 3-11, Pike: Notifier col 7/lines 5-60, burning the content through col 6/lines 17-35).

Regarding claims 5-6, the notifier is an icon (Pike: col 7/lines 28-30, Stephen: col 6/lines 26-35), receiving “electronically” (i.e. transmission of data over a communication link) at the content recipient from the content provider (Pike: col 3/lines 20-25, 44-47, col 5/lines 50-55).

Regarding claim 7, comprising substantially the same limitations discussed on claims 1-2, same rationale of rejection is applicable. Visibly display the content to a user by automatically displaying partially obscure content so as to expose below the partially obscure content, i.e. “burn the content through” the session in order to visibly display the content to a user (Figs. 2-3, col 2/lines 3-11, col 3/lines 35-47).

Regarding claims 8-12, “burn the content through” the session in order to visibly display the content to a user (Figs. 2-3, col 2/lines 3-11, col 3/lines 35-47) upon receipt of the content (Stephens: col 7/lines 5-60); upon selective subject matter of the content identified via users preference (Stephens: col 7/lines 5-60); upon an identity of a selectively predetermined the content provider (Stephens: col 7/lines 5-60); upon receipt of the content as the content becomes available (Stephens: col 7/lines 5-60), in response to a user request, i.e. pull (Stephens: col 9/lines 66-col 10/lines 10).

Regarding claims 13-18, visibly display the content to a user by automatically layering the content over the session (Pike: Fig. 2-3 and, Stephens: col 6/lines 26-35), upon receipt of the content (Stephens: col 7/lines 5-60), upon selective subject matter of the content identified via users preference (Stephens: col 7/lines 5-60); upon an identity of a selectively predetermined the content provider (Stephens: col 7/lines 5-60); upon receipt of the content as the content becomes available (Stephens: col 7/lines 5-60), in response to a user request, i.e. pull (Stephens: col 9/lines 66-col 10/lines 10).

Regarding claims 19, and 22-24, connect or associate “attach” the content to a screen location “attachment site” (e.g. window) automatically upon receipt of the content (Pike: screen location and/or position, col 7/lines 10-35, position of the layer on the screen, col 10/lines 20-24), attachment site is a document (Stephen: col 8/lines 36-54), desktop, i.e. computer (Stephen: col 5/lines 45-50).

4. Claims 20-21 and 51-52 are rejected under 35 U.S.C. 103(a) as being obvious over Pike in view Stephens in further view of U.S. Patent No. 6,131,096 Ng et. al. (Ng hereafter)

Regarding claims 20-21, 51-52, however the above-mentioned references do not explicitly teach where the screen or display location “attachment site” is a calendar and address book.

Ng teaches executing a program code (e.g. a browser or Outlook) at the content recipient for receiving content from a content provider and displaying the content recipient to the user (Fig. 4), received content including a calendar and address book display/storage locations on screen (Fig. 8).

It would have been obvious to one ordinary skilled in the art at the time the invention was made given the suggestion of Pike for receiving content from a content provider including two computer exchanging messages over interactive programs, client server as well as email and instant messages environment would be readily apparent, including the teachings of Ng receiving content from a content provider, by a content recipient. One would be motivated to designate workspace data to be retrieved from the content provider, such as selecting data update/maintained by the Outlook™ (email) address book for synchronization with the content provider services, further including calendar, bookmarks and other workspace data types such as files, financial transactions, etc. from their respective service providers, as suggested by Ng.

Regarding claims 25-26, layer the content over the session in order to visibly display the content to a user (Pike: Figs. 2-3, overlay and thus obscure partially or totally other layers, col 3/lines 53-23, Stephen:

overlay see col 6/lines 26-35), in response to a user request “content recipient”, i.e. pull (Stephens: col 9/lines 66-col 10/lines 10).

Regarding claims 28-29, display a notifier indicating that the content is available for display (Stephen: col 7/lines 5-60), notifier comprises an audible notices (Stephen: col 3/lines 37-41), the notifier comprises a visual notifier (Stephen: col 7/lines 13-25).

Regarding claim 30, a computer readable storage medium, the computer readable storage medium storing program code which, when executed by a computing device, performs the following functions:

automatically initiating a request to receive content from a content provider for receiving the content from the content provider in response to the request ((Stephen: col 7/lines 5-60, pull see col 9/lines 66-col 10/line 10); and displaying the content behind a session (Stephen: col 6/lines 26-35) if the session is active, i.e. displaying the received content at the content recipient behind a displayed layer(s) representing a session (Fig. 3) when said session is currently being the focus of recipient’s attention (i.e. “active”) (Pike: col 3/lines 35-47, and col 2/lines 3-11).

Regarding claims 31-50 and 53-58, these computer readable storage medium claims, wherein execution of the program code performs functions substantially the same as those discussed on the method claims 2-29, same rationale of rejection is applicable.

Regarding claim 59, this method claim is substantially the same as the method claims 1 and the display of the notifier on claims 3-4 and the display of a notifier that indicated that content is available, i.e. “post”, downloaded automatically from the content provider, claim 30, taught by Stephen polling mechanism (i.e. access, initiate receipt, receive and display), same rationale of rejection is applicable.

Regarding claims 60-71, these method claims comprise substantially the same features and/or limitations as addressed on claims 2-29, same rationale of rejection is applicable.

Regarding claim 72,

receiving headlines from a content provider, wherein the headline is tied, linked, associated with a web page provided, generated by, residing on, or of the content provider (Stephens: col 7/lines 5-25, 40-43);

the headlines contain information “content” associated with the announced story and where the headlines note are received without the web page, e.g. story (col 7/lines 5-60, col 10/lines 51-57);

displaying the headlines behind a session if the session is active (Stephens: column 7, lines 51-60).

Regarding claim 73, the note comprises a function to automatically initiate a request to receive content associated with the received note (Stephens: col 7/lines 5-60, col 10/lines 51-57).

Regarding claim 74, this claim comprises limitations substantially the same as claim 72, same rationale of rejection is applicable, further limitation is:

the note has an attribute or property (called property of automatic attachment), e.g. the textual, HTML rendered (Stephens: col 7/lines 19-20).

Regarding claim 75, this claim comprises a limitation(s) is substantially the same as 73, same rationale of rejection is applicable.

5. Claims 76-77 are rejected under 35 U.S.C. 103(a) as being obvious over Pike in view of Stephens as applied on claim 1 further exemplified by Tsimelzon (US 6,834,306)

Regarding claim 76, this claim comprises a limitation(s) is substantially the same as 73, same rationale of rejection is applicable, further limitation includes the note has a title bar, menu button and display area. Although Stephens teaches where the information will be output to the display associated with workstation 112 even when the window for notice system 200 is not visible on the user's screen (column 7, lines 37-40), where the notice system 200 also presents this news in text format in a browser window, which need not be visible when the story arrives (column 7, lines 51-53). He does not explicitly teach that the note has a title bar, menu button and display area.

Tsimelzon further exemplifies that a window (browser) comprising a title bar, menu button and display area, displaying notification information (Figs. 11-12).

It would have been obvious to one of ordinary skill in the art at the time the invention was made given the teachings of Pike and Stephens for using window to present information about or from an application program, including drawing a window over or at the front, which is totally unobscured, is active, drawing other window, overlaid in front of other windows, and drawn underlaid behind other windows when others are active. Given the suggestions of Stephens for using a browser window for displaying a notice indicating that content is available for display, one of ordinary skill will recognize that a window browser would contain a window browser containing a title bar, menu



button and display area, as further exemplified by Tsimelzon. One would be motivated to include a title bar, menu button and display area because in doing so the title can provide an indication of the subject matter or content provider displaying the notice, the menu buttons for selecting menu command, e.g. a close button and a display area for displaying the notice.

Regarding claim 77, this claim is substantially the same as claims 73 and 75, same rationale of rejection is applicable.

### *Response to Arguments*

6. Regarding claim 1, are rejected as being obvious over Pike in view of Stephens, it is argued (p. 25-27 of remarks) that the reference does not teach claim limitation as recited, because Figure 2 has a monitor that displays layers. However, according to applicant, none of the layers notify the user of anything. The layers may contain content, but they are not used as a notifier of any variety, much less a notifier that notifies a user that content received from a content provider is ready for viewing.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been noted. According to the disclosed invention: On the other hand, if the block 74 determines that the newly posted content has been received, a block 78 provides a notifier to the content recipient that the newly posted content of interest has been received. This notifier may take several different forms. For example, the notifier may be the content itself which is immediately displayed to the content recipient as the top active layer of any applications that the content recipient has running on the content recipient's network enabled device. Alternatively, the notifier may be a window or an icon or other symbol, which is displayed in a tool bar, a title bar, inside a window frame, or at any other suitable location, as an indication to the content recipient that newly posted content has been received [see 0031].

According to the office action (mailed 08/17/05 on p. 3), Stephens discloses a notice system (200), including an executing first program code (114) at a content recipient (112) for receiving content from a content provider (118) over the network (116) (Fig. 1, col 4/lines 33-col 5/line 7), including displaying a notice indicating that content is available for display, automatically without user intervention (Stephen: col 7/lines 5-60: delivery of information in the user's workstation display as the information becomes available, presenting the user with textual, typically HTML-rendered story headlines, allowing the user to select a headline to view the entire story, and col 10/lines 51-57: notice system 200 including providing customized delivery of stories in speech-synthesized format as well as in a window on a display as the stories become available). Thus, Stephen teaches a notice indicating that

content is available for display. Stephen teaches a window indicating that content is available for display.

Arguments that in the applied references, layers may contain content, but they are not used as a notifier of any variety, much less a notifier that notifies a user that content received from a content provider is ready for viewing, are not persuasive.

7. Regarding claim 1, rejected as being obvious over Pike in view of Stephens, it is argued (p. 26 of remarks) that the reference does not teach claim limitation as recited, because a notifier is not merely content.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been reviewed. However, according to the invention's specification: an example of a note (22 of fig. 3) includes a title, which may carry a general title such as "note" or a more specific title indicative of a product, service, and/or information offered by the note (p. 8, lines 4-9). The note also includes a display area in which a graphic, text and/or other material may be provided (p. 8, lines 16-18), where the text may include an URL (p. 8, lines 19-23). The notifier *may be the content itself* which is immediately *displayed* to the content recipient as the top active layer of any applications that the content recipient has running on the content recipient's network enabled device (p. 15, lines 11-22).

Argument that the layers describe in the Pike reference may contain content, but a notifier is not merely content, is not persuasive.

8. Regarding claim 1, are rejected as being obvious over Pike in view of Stephens, it is argued (p. 27-28 of remarks) that the reference does not teach claim limitation as recited, because in the Stephens reference, according to applicant, there is not need for a notifier because the content is already displayed and that the headlines do not notify the user that the story has been received.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been reviewed. Claim 1 recites, "display a notifier indicating that the content is available for display". Stephen discloses that as the data sources post news stories, notice system 200 *announces* the headlines. Notice system 200 includes one or more news summary page listing all of the recent headlines. Each headline is a hyperlink to the web page that contains the full story (see Stephens: col 7/lines 51-60). Stephens teaches wherein said information is *received* from the at least one pre-elected data source as information becomes *available*, and said transmitting of audio signals representative of the information in audio format occurs automatically (see clms 10 & 17).

Arguments that the notice system in the Stephens reference does not need a notifier, nor notifies anything, because the content is already displayed as the headlines, and that the headlines do not notify the user that the story has been received, that the notice system that is the subject of the Stephen patent does not notify that content has been received, are not persuasive.

9. Regarding claim 1, are rejected as being obvious over Pike in view of Stephens, it is argued (p. 25-27 of remarks) that the reference does not teach claim limitation as recited, because Stephen does not teach that the headlines are not displayed behind a session if the session is active.

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been reviewed. According to the invention's disclosure, [A] an exemplary notifier 82 of this alternative type is shown in FIG. 5 and is made to appear on a screen display such as a screen display 84 shown in Fig. 6, where the notifier 82 appears over a desktop. Although not shown in FIG. 6, if the notifier 82 is displayed as a window or icon at a predetermined location on the display, and if *one or more windows are layered over* this predetermined location, the notifier 82 is automatically displayed as a top most layer so that it is visible to the content recipient even though another application currently has the focus (i.e., is active) [see 0032].

Thereby, a notifier is displayed as a window layered as a top most layer so that it is visible even though others *one or more windows are layered over* this predetermined location are currently displayed, this is denoted by the invention as "currently has the focus, i.e. is active".

Claim (1), limitation recites, "so as to display the content behind a session if the session is active". The broadest reasonable interpretation has been applied to the claim as mandated. Claim clause reads; display the content as a lower layer so that it is not visible to the content recipient when other window(s) layer is displayed.

Pike discusses as well known, to display multiple windows simultaneously, with several if not all windows overlapping, leaving one window fully visible and the others partially or wholly obscured. It is known in the prior art that *only the window at the front*, which is totally unobscured, *is active* or continuously operating (Pike: column 1, lines 24-35). Stephen teaches that operating systems commonly use "windows", *as well known in the art, to present information* about or from an application program. Each application program typically has its own window that is generated when the application program is executing. *Each window may be minimized to an icon, maximized to fill the display, overlaid in front of other windows, and under laid behind other windows* (Stephens: column 6, lines 28-35).

The notice system reports that content is available for display, including presenting headlines in audible format as they become available, the user does not have to check data sources to monitor data

sources to determine if information is available, nor does the user have to interrupt his work to check data sources manually. The information will be output to the display associated with user's workstation *even when the window for notice system 200 is not visible on the user's screen*, the display generated by notice system 200 is used to access one or more hyperlinks leading to page(s) that contain the full story for the headline (column 7, lines 26-50, *headlines in hypertext form*, column 7, lines 19-21). Notice system 200 also presents this news in text format in a *browser window, which need not be visible when the story arrives*. As the data sources post news stories, notice system 200 announces the headlines. Notice system 200 includes one or more news summary page listing all of the recent headlines (Stephens: column 7, lines 51-60).

10. Regarding claim 2, rejected as being anticipated by Pike, it is argued (p. 32 of remarks) that the reference does not teach claim limitation as recited, because the reference does not disclose or suggest "burning through".

In response to the above-mentioned argument, applicant's interpretation of the applied prior art has been reviewed. However, the claimed clause "burn the content through" in the claim limitation, "so as to burn the content through the session in order to visibly display the content to a user" has been applied the broadest reasonable interpretation in light of the specification. According to applicant's disclosure:

[0034] When the content recipient activates the notifier 82 at the block 80, a block 88 of the program 60 determines whether there is an active session being performed by the content recipient. An active session, for example, may be an application, which has the focus of the content recipient. If there is an active session as determined at the block 88, and if the active session is displayed in an area of the screen display to be occupied by the content when the content is made to appear upon activation of the notifier 82, the program 60 at a block 90 uses the *content display software discussed above in order to burn the content through the active session being displayed*.

[0035] Thus, as shown in FIG. 6, when the notifier 82 is activated, the note 22 is made to appear in a predetermined portion of the screen display 84, which happens to be partially occupied by a window 92. Accordingly, *the window 92 is burned so that a border 94 is provided around the note 22. The border 94 allows whatever is in a layer below the window 92 to seen through the border 94 around the note 22*. Thus, the note 22 burns through the window 92 to expose a portion of the layer below the window 92.

[0036] In FIG. 6, the only layer below the window 92 is a desktop. Therefore, a portion of the desktop may be seen through the border 94. However, if a second window is layered below the window 92, a portion of this second layer, instead of a portion of the desktop, would then be exposed through the border 94. Alternatively, the note 22 may be arranged to burn through all layers between it and the desktop.

[0037] If there is no active session as determined by the block 80, or after a burn through is provided by the block 90, a block 98 *causes the newly posted content of interest to be displayed within the burn through on the display of the content recipient's network enabled device. Thus, as shown in FIG. 6, the note 22 is displayed within the burn through portion of the window 92*. Thereafter, a block 100 determines whether an attachment location is identified such as by the content recipient. If an attachment location is identified, the received content is attached to the identified location at a block 102.

[0056] Moreover, as described above, *newly posted content in the form of the note 22 is displayed on a content recipient's network enabled device within a burn through of the active session 88*. Alternatively, instead of burning the note 22 through the active session 88, the note 22 may simply be displayed as a top layer having the focus. As a further alternative, the

note 22 may be displayed as a top layer automatically upon receipt of the content or dependent upon the subject matter of the note 22 or upon an identity of the content provider or upon a user action.

[0057] Also, as described above, *newly posted content in the form of the note 22 is burned through the active session 88 if the notifier is suitably activated at the block 80. Alternatively, newly posted content in the form of the note 22 may burn through the active session 88 automatically upon receipt of the content without the activation of the notifier. As a further alternative, newly posted content in the form of the note 22 may automatically burn through the active session 88 dependent upon the subject matter of the note or upon an identity of the content provider.*

The invention's specification has been reviewed, (i) however, there seems to be no explicit definition to the clause "burn through" that will control its interpretation in the claims (MPEP 2111/2106), applicant is entitled to be his/her own lexicographer; and (ii) there seems to be no disclosure besides what is noted above, as to what are the steps or acts implemented by the content display software in order to burn the content through the active session being displayed. "So as to burn through" seems described in the specification with respect to what appears displayed on the screen or what is seen when "burning" content through the active session being displayed; (ii) there seems to be no disclosure besides what is noted above, as to how to make or configure a border with "see through" or "allowing to see through" capabilities, namely, disclosure describes where *the border 94 to allow whatever is in a layer below the window 92 to seen through the border 94 around the note 22.*

Thus, the broadest reasonable interpretation of the claimed clause, "so as to burn through" will be taken from the disclosure *"the window 92 is burned so that a border 94 is provided around the note 22. The border 94 allows whatever is in a layer below the window 92 to seen through the border 94 around the note 22. Thus, the note 22 burns through the window 92 to expose a portion of the layer below the window 92"*. Thus, claimed clause, "so as to burn the content through", will be interpreted as, a *window having a border is drawn "burned" so that whatever is in a layer below the window around its border is seen or exposed.*

Pike teaches referring to Fig. 3, window/frame layer B (41) is provide in a layer below the frame/window layer A (40), window/frame layer A allows what ever is in the layer below to be seen through the window/frame around layer A. Window/frame layer A exposes a portion of the window/frame layer(s) below it, allowing what ever is in layer below the window/frame to be seen through the border of the window/frame layer A around it. The window/frame B (41) below window/frame A does not expose a bottom partially obscured of layer B, i.e. (42), the portion of the layer below the window/frame A (col 4/lines 8-34). Applicant's Fig. 6 is not distinguishable from Pike's Fig. 3. Pike teaches displaying content behind a session if the session is active. Pike teaches burning the content through the session in order to visibly display the content to the user.

11. Applicant's arguments filed on the above-mentioned amendment have been fully considered but not rendered persuasive.

12. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Copies of Non-Patent Literature documents cited will be provided as set forth in MPEP§ 707.05(a):

The Stick-e document: a framework for creating context-aware applications, P.J. Brown, Electronic Publishing, vol 8 (2&3), John Wiley & Sons, Ltd., 1995, p. 259-272.

Brown proposed a framework called Stick-e Documents for creating context-aware applications and it highlighted the importance of contextual awareness in mobile computing. The stick-e document framework is composed of a set of stick-e notes, each of them resembles a page of HTML. Each stick-e note consists of the contents and relevant contextual information to be triggered including notifying the user of any event. A stick-e note can be considered as an electronic form of Post-it notes which people place in their working places not to forget or inform different things to be done.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prieto, B. whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:00 to 3:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Andrew T. Caldwell can be reached at (571) 272-3868. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free).

Any response to this action should be mailed to:  
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(571) 273-8300 (New Central Fax No.) or Telephone:  
(571) 272-2100 for TC 2100 Customer Service Office.

*Beatriz Prieto*  
**BEATRIZ PRIETO**  
**PRIMARY EXAMINER**  
2/14/06